

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 06-3030 (DSD/JJG)

AINSWORTH ENGINEERED (USA), LLC,

Plaintiff,

v.

**PRETRIAL SCHEDULING ORDER**

FOREST PRODUCTS TECHNOLOGIES, INC., et al.,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. This schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

**DISCOVERY SCHEDULE/DEADLINES**

1. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before **December 15, 2006**.
2. Fact discovery shall be commenced in time to be completed on or before **October 1, 2007**.

**DISCOVERY LIMITATIONS**

1. No more than a total of **25 interrogatories** by Plaintiff on each Defendant, not including jurisdictional discovery. No more than a total of **25 interrogatories** for each Defendant, not including jurisdictional discovery.
2. No more than **15** depositions, plus 30(b)(6) depositions, excluding expert witness depositions, shall be taken per side.

## **EXPERTS**

1. Each side may call up to **three (3)** expert witnesses. Accordingly, each party may take one deposition per expert.
2. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) and the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made as follows:
  - a. Identities by Plaintiff on or before **July 2, 2007**.  
Reports by Plaintiff on or before **August 10, 2007**.
  - b. Identities by Defendant on or before **August 2, 2007**.  
Reports by Defendant on or before **September 10, 2007**.
  - c. Plaintiff Rebuttal report on or before **September 24, 2007**.
3. Expert discovery, including depositions, shall be completed by **November 2, 2007**.

## **NON-DISPOSITIVE MOTION DEADLINES**

All non-dispositive motions shall be scheduled, filed, and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota, with Local Rules 7.1 and 37.1, **and in the form prescribed by Local Rule 37.2**. Non-dispositive motions may be scheduled for hearing by calling Mary Lenner, Judicial Assistant to Magistrate Judge Graham, at (651) 848-1890.

1. All motions which seek to amend the pleadings or to add parties must be filed and served on or before **March 16, 2007**.  
  
Motions which seek to amend the pleadings to include punitive damages, if applicable, must be filed and served on or before the deadline for fact discovery.
2. Except as indicated in paragraph 3, non-dispositive motions and supporting documents, including those which relate to fact discovery, shall be filed and served on or before **October 1, 2007**.
3. All non-dispositive motions and supporting documents which relate to expert discovery shall be filed and served on or before **November 2, 2007**.

4. Prior to scheduling any non-dispositive motion, parties are encouraged to consider whether the motion, including motions relating to discovery and scheduling, can be informally resolved with the Magistrate Judge. The Court requires that: (1) all parties be in agreement to informal resolution of the matter and (2) the “moving party” electronically file a letter representing that all the parties are in agreement to resolving the matter without formal motion and setting forth the single, well-defined issue to be resolved. Upon receipt of such, the Court will determine whether the matter may be handled informally. If it is determined the matter can be resolved informally, the parties will be contacted by the Court to schedule a telephone conference and allow for written response to the letter by the “moving party.” For leave to proceed in a manner other than that outlined above, the requesting party shall electronically file a letter setting forth the specific request.

### **DISPOSITIVE MOTION DEADLINES**

All dispositive motions shall be filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and Local Rule 7.1. Dispositive motions may be scheduled for a hearing by calling Connie Baker, Calendar Clerk to District Judge Doty, at 612-664-5063. Counsel are reminded that they must anticipate the time required for obtaining hearing dates. All dispositive motions shall be filed and served on or before **December 15, 2007**.

### **TRIAL**

This case shall be ready for trial on **March 17, 2008**. The anticipated length of trial is **eight (8)** days.

Dated: November 17, 2006

s/Jeanne J. Graham

JEANNE J. GRAHAM  
United States Magistrate Judge